

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

V.

ROGELIO DOMINGUEZ PINEDA

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NO. 1:10-CR-70(1)

ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT

The court heretofore ordered that this matter be referred to the Honorable Earl. S. Hines, United States magistrate judge, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the report of the United States magistrate judge, who recommends that the court deny the United States' motion to disqualify counsel James Tucker Graves to the extent it is based on an alleged conflict of interest arising from prior representation of other defendants, but grant it to the extent that it is based on a conflict of interest arising from counsel's status as a potential witness whose testimony is adverse to his client and lead defendant, Rogelio Dominguez Pineda. No objections have been filed.

The magistrate judge's report is hereby **ADOPTED**, and the United States' "Motion to Disqualify Counsel" [Docket No. 479] is **GRANTED**.

So **ORDERED** and **SIGNED** this **5** day of **January, 2011**.



Ron Clark, United States District Judge